



**Montana Legislature**  
**House Human Services Committee**

EXHIBIT 7  
DATE 3/23/2011  
HB 501  
PO BOX 201706  
Helena, MT 59620-1706  
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March 22, 2011

Shirley Brown, Administrator  
Child and Family Services Division  
301 S. Park Ave.  
Helena, MT 59601

Dear Ms. Brown:

Last month, the House Human Services Committee heard and subsequently tabled House Bill 501, which would have created statutory requirements related to the number of children who may be in youth or kinship foster homes. The bill would have prohibited the Department of Public Health and Human Services from adopting rules that limited the total number of children in a home to less than 12.

During executive action, committee members acknowledged that this proposed statutory change may not be the best approach to the issue raised by Rep. Reichner in testimony on his bill. However, they also expressed their deep disappointment in the way the Department of Public Health and Human Services handled Rep. Reichner's case and its apparent lack of a concrete process for allowing exceptions to the administrative rule limiting the number of children in youth and kinship foster homes.

As a result, committee members also voted unanimously to formally notify you of their concerns about the Department's responses to questions and issues raised during the hearing. Members also wanted to strongly encourage DPHHS to review this issue and revise the way in which it handles exceptions to the licensing process. Committee members believe DPHHS could be much more proactive in identifying potential foster homes that would qualify for an exception. They also believe DPHHS should put in place a better defined process for working with families that request an exception to the rule.

Committee members want to emphasize that families who are willing *and* able to provide a home to foster children in addition to their own children should be allowed to do so, despite the number of children who may already be in the home. The size of their existing family should not be the sole disqualifying factor for parents who step up to open their homes to children in need.

Sincerely and on behalf of the committee,

A handwritten signature in cursive script, reading "David Howard".

David Howard  
Presiding Officer

c: Anna Whiting Sorrell, Director, Department of Public Health and Human Services  
Hank Hudson, Manager, DPHHS Economic Security Services Branch